

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:03CR3100
)	
v.)	
)	
TIMOTHY S. DEGARMO,)	CERTIFICATE OF APPEALABILITY
)	PURSUANT TO 28 U.S.C. § 2253
Defendant.)	
_____)	

A certificate of appealability is issued on the defendant's claims that he was the subject of prosecutorial vindictiveness and that his trial counsel provided constitutionally ineffective assistance due to his failure to raise the issue of prosecutorial vindictiveness. The defendant has made a substantial showing of the denial of a constitutional right.

Dated April 3, 2008.

BY THE COURT

s/ Warren K. Urbom
United States Senior District Judge